

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs

Case No: 10-mc-50744

Related to Crim Case No: 05-80187

ALEXSANDER MAKSIMENKO,

Defendant,

JULIA MIROSHKO, MARK SESI,
BFC MANAGEMENT COMPANY
d/b/a Cheetahs,

_____ /

ORDER

Julia Miroshko, Mark Sesi and BFC Management Company, d/b/a Cheetahs (Collectively, "Cheetahs") filed a Joint Motion to Compel Production of Documents and Things Obtained in the Investigation and Prosecution in the Above Captioned Cause that Was Collected by The F.B.I. Immigration and Customs Enforcement Agency ("ICE"), The U.S. Attorneys Office or Other Investigating Police Agencies (Doc. #1). This motion was supplemented by Cheetahs, responded to by the United States, and Cheetahs filed a reply.

Based on the briefs submitted, Cheetahs motion is GRANTED in Part and DENIED in Part, without prejudice. The Government agrees that it will provide the Grand Jury requested information to Cheetahs under a protective order; the Government must take steps to do so.

Cheetahs' request for non-grand jury information is DENIED without prejudice. Cheetahs must take the steps outlined by the United States to comply with the Touhy

Regulations (United States ex rel, *Touhy v Ragen*, 340 U.S. 462 (1951)) in order to get access to these requested materials.

IT IS ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: August 25, 2010

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on August 25, 2010.

s/Linda Vertriest
Deputy Clerk